

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 19, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL LEE VANTIGER,

Defendant.

No. 4:20-CR-06010-SAB-1

**ORDER SETTING BRIEFING
SCHEDULE RE: MOTION TO
SUPPRESS; CONTINUING
TRIAL AND PRETRIAL
CONFERENCE AND
EXTENDING DEADLINES**

The Court has received and reviewed the parties' Joint Status Report and Proposed Scheduling Order, ECF No. 81. The Government is represented by Stephanie Van Marter and Defendant is represented by Geana Van Dessel. The parties agree and request the Court extend certain deadlines related to Defendant's pending Motion to Suppress, ECF No. 76, so that the Government may retain an expert witness. The parties also request the Court continue trial and the pretrial conference to allow them adequate time to prepare for trial. The Court finds good cause to grant the parties' request.

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**ORDER SETTING BRIEFING SCHEDULE RE: MOTION TO SUPPRESS;
CONTINUING TRIAL AND PRETRIAL CONFERENCE AND
EXTENDING DEADLINES * 1**

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. The Government shall respond to Defendant's Motion to Suppress, ECF
3 No. 76, no later than **January 29, 2021**. Defendant shall reply in support of his
4 motion no later than **February 15, 2021**. The Motion shall be heard with oral
5 argument on **March 8, 2021 at 9:00 a.m. in Yakima**, Washington.

6 2. The trial set for February 16, 2021 is **STRICKEN** and **RESET** to **May 3,**
7 **2021 in Richland**, Washington, at **9:00 a.m.**, commencing with a **final** pretrial
8 conference at **8:30 a.m.** Hearings will be held in Richland unless otherwise
9 specified.

10 3. The pretrial conference set for February 3, 2021 is **STRICKEN** and
11 **RESET** for **April 21, 2021 at 10:00 a.m. in Yakima**, Washington. Counsel shall
12 advise the Court regarding any dispositive change in the status of this case **at least**
13 **five (5) days** prior to the pretrial conference. Any motion to continue the pre-trial
14 conference or trial shall be filed at the earliest practicable opportunity, but **no later**
15 **than seven (7) days** prior to said proceeding. Movant shall provide (1) specific
16 and detailed reasons for the continuance to permit the Court to make the necessary
17 findings; (2) if applicable, the Defendant's signed Speedy Trial Waiver; (3) the
18 position of opposing counsel; and (4) the proposed new date. Continuances are not
19 granted absent good cause.

20 4. All pretrial motions shall be filed on or before **April 2, 2021** and noted for
21 hearing at the April 21, 2021 pretrial conference.

22 5. The Government shall disclose to Defendant the identifies of any
23 confidential informants and their willingness to be interviewed no later than **April**
24 **23, 2021**.

25 6. The Government shall disclose grand jury transcripts to Defendant no
26 later than **April 23, 2021**.

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1 7. Trial briefs, proposed voir dire, jury instructions, verdict forms, exhibit
2 lists, expert witness lists, and summaries of expert testimony shall be filed and
3 served by all parties on or before **April 26, 2021**. This does not modify the parties'
4 discovery obligations under Fed. R. Crim. P. 16. Absent an agreement between the
5 parties or an Order from the Court, the parties' Fed. R. Crim. P. 16 discovery
6 deadlines shall be governed by Local Criminal Rule 16.

7 8. Each party shall deliver its exhibits to the other party no later than **April**
8 **28, 2021**. Each party shall also deliver exhibit binders to the Court no later than
9 **April 28, 2021**.

10 9. The parties shall deliver JERS-compatible digital evidence files to the
11 Courtroom Deputy no later than **April 28, 2021**.

12 10. The Court finds, given the outbreak of the COVID-19 virus, that
13 rescheduling hearings set in the near future would result in minimizing undue risk
14 to defendants, counsel, law enforcement, Court staff, and the public at large. The
15 Court also finds current public health advisories reduce the Court's ability to
16 obtain an adequate spectrum of jurors and curtails the availability of counsel and
17 Court staff to be present in the courtroom. *See* Eastern District of Washington
18 General Order 2021-1. The Court, therefore, finds the ends of justice served by
19 resetting hearings in all criminal matters during this period outweigh the best
20 interest of the public and defendants in speedy trials, and the period of delay
21 attributable to this Order will be excluded from Speedy Trial Act calculations.

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EXTENDING DEADLINES * 3**

1 Thus, pursuant to 18 U.S.C. § 3161(h)(7)(A), the time between February 16,
2 2021, the current trial date, until May 3, 2021, the new trial date, is **DECLARED**
3 **EXCLUDABLE** for purposes of computing time under the Speedy Trial Act. The
4 Court finds that the ends of justice served by such a continuance outweigh the
5 public's and Defendant's interest in a speedy trial.

6 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
7 enter this Order and furnish copies to counsel.

8 **DATED** this 19th day of January 2021.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Stanley A. Bastian
Chief United States District Judge

**ORDER SETTING BRIEFING SCHEDULE RE: MOTION TO SUPPRESS;
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EXTENDING DEADLINES * 4**